

## United States District Court

for the

Southern District of Texas

UNITED STATES OF AMERICA )

V. )

HARVEY, Ladainmum ) Case Number:

West Monroe, LA. )

)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 3, 2018 in the county of Webb in the  
(Date)Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*Title 8 United States Code, Section  
1324

A United States Citizen did unlawfully transport Mexican nationals Jose Missael FIGUEROA-Arambula, Jose Adrian GUTIERREZ-Zaragoza, and seven (7) other undocumented aliens by means of motor vehicle within the Southern District of Texas, knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved or attempted to transport or move said aliens within the United States by means of transportation or otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

See attachment "A".



Continued on the attached sheet.

/s/ Bernardo Trad

Complainant's Signature

Bernardo Trad, HSI Task Force Officer

Printed Name and Title

Sworn to before me and signed in my presence,

Date: April 4, 2018Judge's SignatureCity and State: Laredo, TexasDiana Song Quiroga, U.S. Magistrate Judge

Printed Name and Title

UNITED STATES OF AMERICA

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**[CONT OF BASIS OF COMPLAINT]**

On April 3rd 2018, at approximately 2:00 A.M., United States (U.S.) Border Patrol Agents (BPAs) assigned to the Laredo North Border Patrol immigration checkpoint located near mile marker 29 of Interstate Highway 35 north of Laredo, Texas, encountered Ladainmium HARVEY, a United States Citizen, at the primary tractor-trailer immigration inspection lane. HARVEY approached the immigration checkpoint driving a white tractor with loaded flatbed trailer attached.

As HARVEY approached the immigration checkpoint the BPA manning the primary tractor-trailer immigration inspection lane observed two (2) persons laying down in the top bunk bed of the tractor cabin. As HARVEY came to a halt, he was asked if there was anyone else in the back of the tractor, to which he stated "no". The BPA reiterated if HARVEY was driving with a co-driver, to which HARVEY once again stated "no". Subsequently a BPA and his service canine alerted to possible narcotics and/or concealed humans near the sleeper area of the tractor. At this point HARVEY was asked to step out of the tractor to allow the BPA to search the sleeper area of the tractor.

The search of the tractor resulted in the discovery of a total of nine (9) Subjects within the sleeper area of the tractor. A fully loaded handgun was also discovered on the floor between the driver seat and the sleeping area of the tractor. After a brief immigration inspection, it was determined that the Subjects discovered in the trailer were undocumented aliens (UDAs) illegally present in the U.S.

HARVEY and the nine (9) UDAs were placed under arrest and escorted inside the checkpoint for processing. Homeland Security Investigation (HSI) Laredo agents were contacted and notified of the failed human smuggling attempt.

HSI Laredo agents responded to the Laredo North immigration checkpoint to interview all subjects involved in the smuggling attempt.

HARVEY was read his Miranda Rights in the English language which HARVEY acknowledged and agreed to provide a statement without the presence of an attorney. HARVEY stated he was to be paid one-thousand (\$1,000.00) U.S. dollars to transport the UDAs to an undisclosed location near San Antonio, Texas. Once HARVEY successfully smuggled the UDAs through the Border Patrol Checkpoint, he was going to receive instructions as to where to go. HARVEY states he was given two-hundred (\$200.00) U.S. dollars to pay for gas.

HSI Laredo agents interviewed Mexican nationals Jose Missael FIGUEROA-Arambula, and Jose Adrian GUTIERREZ-Zaragoza whom are held as material witnesses against HARVEY.

FIGUEROA-Arambula stated he arranged with an unknown human smuggler to be smuggled to North Carolina for three thousand (\$3,000.00) U.S. Dollars. GUTIERREZ-Zaragoza stated he arranged with an unknown human smuggler be taken to North Carolina for seven thousand five hundred (\$7,500.00) U.S. Dollars.

Both FIGUEROA-Arambula and GUTIERREZ-Zaragoza positively identified HARVEY via six-person photo array as the driver of the failed human smuggling attempt.

HSI Laredo took custody of HARVEY and will be charging him with violations of Title 8 United States Code, Section 1324, Alien Smuggling. HARVEY will be held at the Webb County Jail pending his initial appearance before a Magistrate Judge of the Southern District of Texas on April 4, 2018.